

Statement of Rep. Henry A. Waxman
On the Rule for
H.R. 4167, “The National Uniformity for Food Act of 2005”
March 2, 2006

Today, the House takes up the most sweeping change in decades to our nation’s efforts to protect the food supply.

H.R. 4167 is a disaster waiting to happen. This legislation could overturn 200 state laws – laws that the American people rely on everyday to ensure the safety of the food they eat and to ensure that they know what they are buying.

Laws that ensure that the shellfish they buy isn’t tainted;

Laws that let a pregnant woman know what foods can increase the risk of birth defects;

Laws that inform consumers whether fish have high levels of cancer-causing PCB’s;

Laws that ensure the safety of our milk.

The opposition to this bill is strong and only growing stronger. Last night, 37 State Attorney Generals – Republicans and Democrats – announced their opposition to the bill.

They join the opposition of dozens of public health, environmental and consumer groups. Florida, Georgia, New York, Wisconsin, and Illinois have all written to Congress opposing this legislation. The National Association of State Departments of Agriculture and the Association of Food and Drug Officials strongly oppose this legislation as well.

We are scheduled to consider amendments to this legislation next week. I want to discuss two critically important amendments.

First, the Capps-Eshoo-Stupak-Waxman amendment must be adopted by this House. This amendment will allow states to take the necessary steps so that consumers will be told of food that contains cancer-causing substances, developmental toxins, sulfites and reproductive toxins. It will also let states take action to protect the health of children.

Secondly, this bill will undermine our nation’s defenses against bioterrorism. State and local officials have repeatedly warned us that this Washington, DC power grab is going to hurt their ability to prepare for and respond to a terrorist attack through the food supply. According to the Association of Food and Drug Officials, H.R. 4167 would “handcuff the first responders who deal with food safety issues every day.”

That's why I will offer an amendment that will help preserve the authorities of the Governors and State legislatures to establish and maintain a food safety system that can be responsive to the threats we face.

Hurricane Katrina taught us that the federal government has to work with the state and local officials to respond when disaster strikes. Creating a new federal bureaucracy to supervise the states and restrict their historical ability to respond is not going to make us better prepared for terrorism.

For years, I've heard my Republican colleagues preach the importance of states' rights and denounce a federal one-size fits all approach. But now, with no record, no Committee hearing, with no real understanding of the consequences, the Republican leadership wants to eviscerate state rights and have a one-size federal approach.

This legislation is a dangerous give-away to special interests and ignores the enormous benefits of strong state consumer protection laws. It is bad for states and, most important of all, it is bad for American families.

I urge all members to oppose H.R. 4167.